

**FILED**

JUL 24 2006

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION  
12

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 ADRIAN GOMEZ ZEPEDA,

17 Defendant.  
18

No. CR 05-00523 DLJ

STIPULATION TO CONTINUE DATE  
FOR CHANGE OF PLEA AND TO  
EXCLUDE TIME; [PROPOSED] ORDER

OAKLAND VENUE

19 The United States of America, by its undersigned counsel, and defendant Adrian Gomez  
20 Zepeda, by his undersigned counsel, hereby request and stipulate that the change of plea hearing  
21 scheduled for July 21 at 2:00 p.m. be continued to August 30 at 10:00 a.m., and that time be  
22 excluded until August 30. The reasons for this continuance and exclusion of time are as follows:

23 On July 19, counsel for the government and counsel for defendant learned that the  
24 defendant recently had been arrested in Alameda County and was in custody in connection with  
25 those charges. On July 20, counsel for the government called the Alameda County District  
26 Attorney's Office; a representative in that office confirmed that charges had been filed against  
27 Mr. Zepeda. According to Pretrial Services, Mr. Zepeda is in custody and will appear in  
28 Alameda County Superior Court on Wednesday, July 26.

STIP. TO CONTINUE CHANGE OF PLEA AND EXCLUDE TIME (Zepeda);  
CR 05-00523 DLJ

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US ATTORNEYS OFFICE

PAGE 03/03

1 The parties stipulate that, given the circumstances, the ends of justice served by this  
2 continuance and exclusion of time outweigh the best interests of the public and of the defendant  
3 in a speedy trial, and that, accordingly, an exclusion of time pursuant to Title 18, United States  
4 Code, Sections 3161(h)(3)(A)(unavailability of defendant) and (8)(A) and (B) (effective  
5 preparation of defense counsel to analyze the recent arrest and its potential impact on this case, as  
6 well as continuity of defense counsel, who is not available the first two weeks in August) is  
7 appropriate.

8 IT IS SO STIPULATED.

9 DATED: July 21, 2006

Respectfully submitted,

KEVIN V. RYAN  
United States Attorney

By W. Douglas Sprague  
W. DOUGLAS SPRAGUE  
Assistant U.S. Attorney

14 DATED: July 21, 2006

Harris Tabak  
HARRIS TABAK  
Attorney for Defendant Adrian  
Gomez Zepeda

16 //

17 IT IS SO ORDERED.

18 DATED: July 24, 2006

D. Lowell Jensen  
D. LOWELL JENSEN  
United States District Court Judge

28  
STIP. TO CONTINUE CHANGE OF PLEA AND EXCLUDE TIME (Zepeda);  
CR 05-00523 DLJ